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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,859	02/11/2002	Cheng-Min Pan	17620R-000500US	6800

7590

03/10/2004

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EXAMINER

KIM, PAUL D

ART UNIT	PAPER NUMBER
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3729

DATE MAILED: 03/10/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,859

Applicant(s)

PAN ET AL.

Examiner

Paul D Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 and 17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-16 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is a response to the restriction requirement filed no 1/27/2004.

Response to the Restriction Requirement

2. Applicant's election of Group II, Species B, claims 7-16 and 18, in Paper No. 3 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
3. Claims 1-6 and 17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 3.

Drawings

4. Figures 1a-1c should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

5. The abstract of the disclosure is objected to because the abstract does not sufficiently describe the claimed invention and the abstract should be in narrative form

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and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. Correction is required. See MPEP § 608.01(b).

6. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: --A METHOD FOR PREPARING RUBBER PLATE USED IN AN ION IMPLANTER--.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in view of Macken (US PAT. 4,458,133).

AAPA teaches a process of trimming a rubber plate (30) configured to be placed on a platform (10) of an ion implanter, the platform of the ion implanter including a plurality of primary holes (11) and a plurality of primary notches (12) comprising steps of providing the rubber plate (30) attached to the platform and trimming the rubber plate using the platform as the guide to form a plurality of secondary holes and notches corresponding to the primary holes and notches of the platform as shown in Figs. 1a-1c (see also lines 15-25 on page 1 of specification).

However, AAPA fails to teach a template having a plurality of holes and a plurality of notches corresponding to the primary holes and notches of the platform as the guide to trim of the rubber plate. Macken teaches a process for using in laser cutting of materials comprising steps of: providing a template (18) including a plurality of holes (middle portion of the template) and notches (four edges of the template) as shown in Fig. 1; and trimming the material (16) by a laser using the template as a guide (as recited in claim 8) to form secondary holes and notches on the material corresponding to the primary holes and notches of the template (also see col. 3, lines 27-45).

Therefore, it would also have been obvious at the time the invention was made to a person having ordinary skill in the art to modify a process of trimming the rubber plate of AAPA by a template as a guide as taught by Macken for the purpose of trimming the material layer in a desire shape.

As per claims 9 and 16 Macken also teaches that the material is trimmed by a trimming member such as laser beam (24) as shown in Fig. 1 for the purpose of optimizing to trim the contour of the material efficiently.

As per claim 12 at the time the invention was made, it would have been an obvious matter of design choice to a person of ordinary skill in the art to modify the holes and notches of the platform as recited in the claimed invention because Applicant has not disclosed that the holes and notches as recited in the claimed invention provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with Macken because the holes and notches of the platform as

recited in the claimed invention would be equally well such as trimming the holes and notches of the material in Macken corresponding to the primary holes and notches of the platform. Therefore, it would have been an obvious matter of design choice to modify trimming the holes and notches of the material of Macken to obtain the invention as specified in claim 12.

As per claims 10, 11, 13 and 14 Macken also teaches that the optical device (22) is scanned the contour of the template and the laser beam is trimmed the scanned contour of the material as shown in Fig. 1. Even though Macken does not teach an automatic process of controlling and trimming process by the laser automatically, it would also have been obvious at the time the invention was made to a person having ordinary skill in the art to modify a process of trimming the material of AAPA by using the laser with automation of Macken in order to trim the layer highly accurate in production.

9. Alternatively, claims 10, 11, 13-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Macken, and further in view of Bauer (US PAT. 5,744,776).

If applicant does not agree that Macken teaches all of the limitations as set forth above including trimming the material by automatically, Bauer teaches a process of trimming a layer (42) with a laser controlled by robot and computer as shown in Fig. 4A in order to trim the layer highly accurate in production (see also, col. 3, lines 31-61). Therefore, it would also have been obvious at the time the invention was made to a person having ordinary skill in the art to modify a process of trimming the material by

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using the laser of AAPA, modified by Macken, by controlling the laser automatically with robot and computer as taught by Bauer in order to trim the layer highly accurate in production.

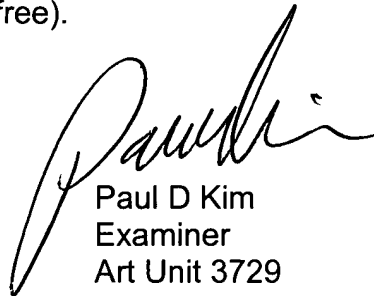
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Carbone (US PAT. 6,216,354), Gallagher (US PAT. 6,139,049), and Beresford et al. (US PAT. 3,617,683) are cited to further show the state of the art with respect to method of trimming layer using a template.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul D Kim whose telephone number is 703-308-8356. The examiner can normally be reached on Tuesday-Friday between 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul D Kim
Examiner
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